

Prendergast led in an inspiring and intelligent manner which will not be forgotten. I enjoyed my time working with General Prendergast—a man I am proud to call my friend. His presence will be missed, but a new chapter of his life lies ahead, and I wish him well as that chapter unfolds.●

#### CONGRATULATING TIM TURNER

● Mr. GRASSLEY. Mr. President, I rise today to bring to the attention of my colleagues a fine Iowan and American. Tim Turner, formerly of Iowa, has been selected for his photographic skills to represent the United States in the First International Culinary Competition. This competition brings together professional culinary photographers from around the globe to bring to life the elements of wine and food in unique settings. The artists will be judged by professional chefs, members of the press, and the general public.

Mr. Turner began his interest in photography while at Heelen High School in Sioux City, IA, and pursued it further at the University of Iowa and the Brooks Institute of Photography. By combining his passion for cuisine with his keen eye for photography he has received major recognition for his work. His photographs have appeared in over 40 cookbooks and he has been nominated three times for the prestigious Beard Award and received a Beard Award for best food photography in a cookbook.

Commenting about his photograph selected for the competition, Turner stated:

The human touch is vital to the authenticity of the food we eat, the wines we drink and the heirlooms we treasure. These are the connections to the heart and soul of mankind. This photograph, uses a patchwork (quilt) as a metaphor for the connection between food and wine, all are united by tradition, in methods, techniques, knowledge and cultural influences, passed through the generations. The patchwork (quilt), sewn for the occasion, was created from scraps of old fabric, clothes and my photographs reproduced on fabric. Set in a timeless space, the chair invites the viewer to explore and enjoy.

The competition is being organized by the Beaujolais winemaking region of France and competitors from 12 countries including Denmark, Sweden, Japan, Germany, Belgium, Switzerland, Italy, Norway, Finland, Great Britain, and France are displaying their artistic photographs.

I want to encourage my colleagues to log on to the website at <http://lauriers.beaujolais.com/en> to learn more about the competition and to vote for the United States contestant Tim Turner. The winner will be decided on February 1, 2005. I ask that you please join me in supporting Mr. Turner.●

#### CECELIA FIRE THUNDER

● Mr. JOHNSON. Mr. President, I rise today to publicly recognize Cecelia Fire Thunder, the newly elected presi-

dent of the Oglala Sioux Tribe. Ms. Fire Thunder is the first woman ever to hold this distinguished position.

Located on the Pine Ridge Indian Reservation in southwest South Dakota and comprised of about 16,000 residents, the Oglala Sioux Tribe elected Ms. Fire Thunder over Russell Means by a margin of 648 votes. Traditionally, the Oglala Sioux Tribe has only been led by male presidents or leaders. Those leaders include historic figures such as Crazy Horse and Red Cloud.

Ms. Fire Thunder's election is truly a momentous occasion, but this accomplishment is not the first example of her selfless dedication to serving her community. Ms. Fire Thunder has devoted much of her energy to enriching the lives of those around her, and now she will take on an even larger role in her tribe. Her altruistic vision for her people is unmatched.

Ms. Fire Thunder was born on the Pine Ridge Reservation but moved to California as a young child. Upon her return to the reservation 24 years later, she attended nursing school and became active in an effort to provide free health care to people unable to afford it themselves. Fire Thunder's background includes her work at a hospital, for the tribe itself, for state government, and as a private consultant. Most recently, she served as the education specialist for Cangleska, Inc., a domestic abuse education and prevention program on the reservation.

President-elect Fire Thunder was inaugurated today and I have faith that her hard work will be a catalyst for positive changes in her community. I congratulate Cecelia Fire Thunder on her election as the next president of the Oglala Sioux Tribe in southwest South Dakota. Ms. Fire Thunder is a shining example of perseverance and strength for her people, and for all South Dakota citizens. I have known Cecelia for some time and I sincerely look forward to working with her for many years to come.●

#### HONORING THE PUBLIC SERVICE OF STEPHEN MYERS

● Mr. JOHNSON. Mr. President, I rise today to publicly thank Stephen R. Myers for his 32 years as chief investment officer of the South Dakota Investment Council. Mr. Myers has served with distinction as the state investment officer for the State of South Dakota since September 11, 1972. He will retire in January to spend more time with his wife, Mary Lynn.

The South Dakota Legislature created the investment council in 1971 to manage seven funds, including assets from the State's retirement system and the proceeds from tobacco lawsuit damages. Mr. Myers invested \$65 million during the first year of the council's existence and had immediate success. In more than three decades the fund has returned an average of 11.2 percent annually, while the capital markets benchmark is only a 10.5-per-

cent annual return. The assets have grown to over \$7.2 billion, with returns putting the funds in the top 1 percent of the Nation's pension funds. The returns from the SDIC's investments allow over 65,000 South Dakotans to retire with financial dignity.

Mr. Myers is a man of passion and integrity who takes his responsibility to retiring South Dakotans very seriously. As he himself has stated, "When you're managing other people's money, it simply won't do to have 99 percent integrity." Mr. Myers is also humble and quick to give credit to his co-workers and members of the South Dakota State Government for their roles in the SDIC's success.

In addition to his role as chief investment officer of the South Dakota Investment Council, Stephen is a co-founder and past president of the South Dakota Investment Society and co-founder and executive committee member of the National Association of State Investment Officers. He also received the National Association of State Investment Officers' Stoddard Award for his significant contribution to the State's public pensions funds.

After growing up in Pierre, Mr. Myers attended the University of South Dakota, where he met his future bride. His dedication to and love of the State of South Dakota is evident and has led to investments that have positively impacted every South Dakotan, either directly or indirectly. The State will miss his leadership, and it is with honor that I share his accomplishments with my colleagues.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the President Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE DURING ADJOURNMENT

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of January 7, 2003, the Secretary of the Senate, on November 29, 2004, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

S. 150. An act to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

S. 437. An act to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes.

S. 1466. An act to facilitate the transfer of land in the State of Alaska, and for other purposes.

S. 2192. An act to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2486. An act to amend title 38, United States Code, to improve and extend housing, education, and other benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2618. An act to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005.

S. 2873. An act to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois.

S. 3014. An act to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

H.R. 1350. An act to reauthorize the Individuals with Disabilities Education Act, and for other purposes.

H.R. 2655. An act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998.

H.R. 4302. An act to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect.

H.J. Res. 115. Joint resolution making further continuing appropriations for the fiscal year 2005, and for other purposes.

Under the authority of the order of January 7, 2003, the enrolled bills and joint resolution were signed by the President pro tempore (Mr. STEVENS) during the adjournment of the Senate, on November 29, 2004.

#### MESSAGES FROM THE HOUSE

At 9:33 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5394. An act to amend the Internal Revenue Code of 1986 to modify the taxation of arrow components.

The message also announced that the House has passed the following bills, without amendment:

S. 2657. An act to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes.

S. 2856. An act to limit the transfer of certain Commodity Credit Corporation funds between conservation programs for technical assistance for the programs.

The message further announced that the House agree to the amendments of the Senate to the bill (H.R. 4012) to amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public school and private school tuition assistance programs established under the Act.

The message also announced that the House agree to the amendment of the Senate to the resolution (H. Con. Res. 528) directing the clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 4818.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 4012. An act to amend the District of Columbia College Access Act of 1999 to reauthorize for 2 additional years the public school and private school tuition assistance programs established under the Act.

H.R. 4818. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. STEVENS).

At 6:06 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House disagree to the amendment of the Senate to the bill (H.R. 4548) to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon and appoints the following members as the managers of the conference on the part of the House: From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference; Mr. Hoekstra, Mr. Boehlert, Mr. Gibbons, Mr. LaHood, Mr. Cunningham, Mr. Burr, Mr. Everett, Mr. Gallegly, Mr. Collins, Mrs. Jo Ann Davis of Virginia, Mr. Thornberry, Ms. Harman, Mr. Hastings of Florida, Mr. Reyes, Mr. Boswell, Mr. Peterson of Minnesota, Mr. Cramer, Ms. Eshoo, Mr. Holt, and Mr. Ruppersberger.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities: Mr. Hunter, Mr. Weldon of Pennsylvania, and Mr. Skelton.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 29, 2004, she had presented to the President of the United States the following enrolled bills:

S. 150. An act to make permanent the moratorium on taxes on Internet access and

multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

S. 437. An act to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community water rights settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes.

S. 1466. An act to facilitate the transfer of land in the State of Alaska, and for other purposes.

S. 2192. An act to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2486. An act to amend title 38, United States Code, to improve and extend housing, education, and other benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2618. An act to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005.

S. 2873. An act to extend the authority of the United States District Court for the Southern District of Iowa to hold court in Rock Island, Illinois.

S. 3014. An act to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-10067. A communication from the Secretary of State, transmitting, pursuant to law, a report prepared by the Department of State for the August 26, 2004 through October 25, 2004 reporting period concerning matters relating to post-liberation Iraq under section 7 of the Iraq Liberation Act of 1998 (P.L. 105-338); to the Committee on Foreign Relations.

EC-10068. A message from the President of the United States, transmitting, pursuant to law, the report of the modification of the national emergency with respect to the development fund for Iraq and certain property in which Iraq has an interest and protecting the central bank of Iraq that was declared in Executive Order 13303 of May 22, 2003, 13315 of August 28, 2003, and 13350 of July 29, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-10069. A communication from the President of the United States, transmitting, the report of an alternative plan for locality pay increases payable to civilian Federal employees covered by the General Schedule (GS) and certain other pay systems in January 2005; to the Committee on Governmental Affairs.

EC-10070. A message from the President of the United States, transmitting, pursuant to law, a report concerning the standards for supervision of physical therapist assistants (PTAs) and the effects of eliminating the "Personal" PTA supervision requirement on the financial caps for medicare therapy services; to the Committee on Finance.

EC-10071. A message from the President of the United States, transmitting, pursuant to law, three documents in response to requests for reports to Congress on outpatient therapy services: the first document is the Center for Medicare and Medicaid Services report on two studies required by Congress; the second document is the report entitled "Study and Report on Outpatient Therapy